Chester Rothstein (CR 1417) Kenneth M. Bernstein (KB 0894) David Mitnick (DM 0064) AMSTER, ROTHSTEIN & EBENSTEIN LLP 90 Park Avenue New York, New York 10016 (212) 336-8000 USDC SDNY
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UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

TOWN & COUNTRY LINEN CORP.,

V.

Plaintiff,

1 Idilitiiii

P/KAUFMANN, INC.,

Defendant.

Civil Action No. 07 CV 3159 (MGC)

ECF Case - Filed Electronically

NOTICE OF VOLUNTARY DISMISSAL OF COMPLAINT PURSUANT TO RULE 41(a)(1)(i)

Plaintiff Town & Country Linen Corp. hereby voluntarily dismisses without prejudice the Complaint filed in this action pursuant to Fed. R. Civ. P. 41(a)(1)(i) on the basis that Defendant P/Kaufmann, Inc. granted to Plaintiff and delivered to the Court on July 19, 2007 a Covenant Not to Suc for copyright infringement, which satisfies Plaintiff's first cause of action for a declaratory judgment that Defendant could not bring a claim for copyright infringement that formed the basis for subject matter jurisdiction in this Court. Defendant had not yet answered the Complaint.

Dated:

New York, NY

July 20, 2007

By:

Chester Rothstein (CR 1417)

Kenneth M. Bernstein (KB 0894)

David Mitnick (DM 0064)

AMSTER, ROTHSTEIN & EBENSTEIN LLP

90 Park Avenue

New York, N.Y. 10016

(212) 336-8000 Attorneys for Plaintiff Town & Country Linen Corp.

So ordered, States District Judge July 23, 2001

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